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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,451	04/10/2001	Staffan Andersson	2380-187	8743
7590	02/24/2005		EXAMINER	
NIXON & VANDERHYE P.C. 1100 North Glebe Road, 8th Floor Arlington, VA 22201			DAVIS, CYNTHIA L	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/829,451	ANDERSSON ET AL.
	Examiner	Art Unit
	Cynthia L Davis	2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12/22/2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>7/9/01, 12/18/01</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-5, 8, 15-16, 19-23, 26, 29, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Constantinof.

Regarding claim 1, a telecommunications network having a physical layer which includes Asynchronous Transfer Mode (ATM) entities is disclosed in Constantinof, column 3, lines 38. A call layer, and a connection layer, with a separation between the call layer and the connection layer whereby the call layer and the connection layer utilize differing signaling entities in the physical layer is disclosed in column 3, lines 6-8 of Constantinof (disclosing separation between telephony and connectivity signaling).

Associating binding information with connection endpoint information for a first connection end point at a first end node of the network is disclosed in column 5, lines 29-33. In the call layer, transmitting the binding information and an ATM end system address (AES) of the first end node to a second end node of the network is disclosed in column 5, lines 33-37. Reserving a second connection end point at the second end node is disclosed in column 6, lines 31-34. Sending a connection request from the call

layer to the connection layer, the connection request including the binding information and the AESA of the first end node is disclosed in column 5, lines 40-43. Routing connection layer signaling through the connection layer to the first end node, and at the first end node, using the binding information included in the connection layer signaling to obtain the connection endpoint information for the first connection end point is disclosed in column 6, lines 1-5 (disclosing connectivity being established between the nodes by the connection layer).

Regarding claim 2, the call layer obtaining the binding information from the connection layer is disclosed in column 5, lines 29-33 (the connection layer has the information first).

Regarding claim 3, the step of using the binding information to obtain the connection endpoint information for the first connection end point involves, at the first end node, transmitting the binding information to the call layer at the call layer obtaining the connection endpoint information for the first connection endpoint is disclosed in column 5, lines 29-33.

Regarding claim 4, the call layer ordering the connection layer to through connect a switch in the physical layer of the first end node in accordance with the connection endpoint information for the first connection endpoint is disclosed in column 6, lines 1-5 (disclosing a physical connection between the nodes).

Regarding claim 5, through connecting a switch in the physical layer of the first end node in accordance with the connection endpoint information for the first connection

endpoint is disclosed in column 6, lines 1-5 (disclosing a physical connection between the nodes).

Regarding claim 8, a telecommunications network having a physical layer which includes Asynchronous Transfer Mode (ATM) entities is disclosed in Constantinof, column 3, lines 38. A call layer, and a connection layer, with a separation between the call layer and the connection layer whereby the call layer and the connection layer utilize differing signaling entities in the physical layer is disclosed in column 3, lines 6-8 of Constantinof (disclosing separation between telephony and connectivity signaling). In the call layer, transmitting an ATM end system address (AES) from a first end node of the network to a second end node of the network, the ATM end system address (AES) being for a first connection end point at the first end node is disclosed in column 5, lines 33-37. Reserving a second connection end point at the second end node is disclosed in column 6, lines 31-34. Sending a connection request from the call layer to the connection layer, the connection request including the ATM end system address (AES) for the first connection end point at the first end node is disclosed in column 5, lines 40-43. Routing connection layer signaling through the connection layer to the first end node using the ATM end system address (AES) for the first connection end point at the first end node; at the first end node, using the ATM end system address (AES) for the first connection end point at the first end node included in the connection layer signaling to through connect an ATM switch in the physical layer to the first connection endpoint is disclosed in column 6, lines 1-5 (disclosing connectivity being set up between the nodes by the connection layer).

Regarding claim 15, a telecommunications network having a physical layer which includes Asynchronous Transfer Mode (ATM) entities is disclosed in Constantinof, column 3, lines 38. A call layer, and a connection layer, with a separation between the call layer and the connection layer whereby the call layer and the connection layer utilize differing signaling entities in the physical layer is disclosed in column 3, lines 6-8 of Constantinof (disclosing separation between telephony and connectivity signaling). Including connection endpoint information for a first connection end point of a first end node of the network in an ATM end system address (AES) of the first end node is disclosed in column 5, lines 33-37. In the call layer, transmitting the ATM end system address (AES) of the first end node to a second end node of the network is disclosed in column 5, lines 33-37. Reserving a second connection end point at the second end node; sending a connection request from the call layer to the connection layer is disclosed in column 6, lines 31-34. The connection request including the ATM end system address (AES) of the first end node is disclosed in column 5, lines 40-43. Routing connection layer signaling through the connection layer to the first end node; at the first end node, using the connection endpoint information for the first connection end point of the first end node included in the ATM end system address (AES) of the first end node to through connect an ATM switch in the physical layer to the first connection endpoint is disclosed in column 6, lines 1-5 (disclosing connectivity being established between the nodes by the connection layer).

Regarding claim 16, including the connection endpoint information for the first connection end point of the first end node of the network in a vacant field or unused field

of the ATM end system address (AES) of the first end node is disclosed in column 5, lines 33-37.

Regarding claim 19, a telecommunications network including a first end node and a second end node which are connected by separated call and connection layers is disclosed in column 3, lines 6-8 of Constantinof (disclosing separation between telephony and connectivity signaling). The first end node associates binding information with connection endpoint information for a first connection end point at the first end node is disclosed in column 5, lines 29-33. Transmitting the binding information through the call layer to the second end node so that, upon receipt of a connection layer signaling routed from the second end node to the first end node through the connection layer, the first end node uses the binding information carried in the connection layer signaling to obtain the connection endpoint information for the first connection end point is disclosed in column 5, lines 40-45.

Regarding claim 20, a physical layer having a first ATM switch at the first end node; and wherein the first node through connects the first ATM switch in accordance with the connection endpoint information for the first connection endpoint is disclosed in column 6, lines 1-5 (disclosing a physical connection between the nodes).

Regarding claim 21, a call layer process at the first node which obtains the binding information from the connection layer is disclosed in column 5, lines 29-33.

Regarding claim 22, the first end node further transmits the binding information to a call layer process at the call layer to obtain the connection endpoint information for the first connection endpoint is disclosed in column 5, lines 40-45.

Regarding claim 23, the first end node orders the connection layer to through connect the ATM switch in the physical layer of the first end node in accordance with the connection endpoint information for the first connection endpoint is disclosed in column 6, lines 1-5 (disclosing a physical connection between the nodes).

Regarding claim 26, a telecommunications network including a first end node and a second end node which are connected by separated call and connection layers is disclosed in column 3, lines 6-8 of Constantinof (disclosing separation between telephony and connectivity signaling). The first end node transmits an ATM end system address (AES), the ATM end system address (AES) being for a first connection end point at the first end node is disclosed in column 5, lines 29-33. Upon receipt of connection layer signaling routed through the connection layer from the second end node to the first end node using the ATM end system address (AES) for the first connection end point at the first end node is disclosed in column 5, lines 40-45. The first end node uses the ATM end system address (AES) for the first connection end point at the first end node to through connect an ATM switch in the physical layer to the first connection endpoint is disclosed in column 6, lines 1-5 (disclosing a physical connection between the nodes).

Regarding claim 29, a telecommunications network including a first end node and a second end node which are connected by separated call and connection layers is disclosed in column 3, lines 6-8 of Constantinof (disclosing separation between telephony and connectivity signaling). The first end node includes connection endpoint information for a first connection end point of the first end node of the network in a

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routing number of the first end node is disclosed in column 5, lines 33-37. Upon receipt of connection layer signaling routed through the connection layer from the second end node to the first end node using the routing number of the first end node, the first node uses the connection endpoint information for the first connection end point of the first end node included in the routing number of the first end node to through connect a switch in the physical layer to the first connection endpoint is disclosed in column 5, lines 40-45.

Regarding claim 30, the connection endpoint information for the first connection endpoint is included in a vacant or unused field of the ATM end system address (AES) for the first end node is disclosed in column 5, lines 33-37.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6, 7, 17, 18, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Constantinof in view of Ghisler.

Regarding claim 6, the connection endpoint information for the first connection end point at the first end node of the network is vendor specific for a physical layer entity at the first end node is missing from Constantinof. However, Ghisler discloses in column 6, lines 1-2, use of vendor specific signaling to achieve connectivity. It would have been obvious to one skilled in the art at the time of the invention to use vendor

specific information to designate a physical layer entity. The motivation would be to be able to identify the physical layer entity.

Regarding claim 7, the connection endpoint information is a concatenation of one or more of a node identifier, a hardware cabinet rack, a hardware slot, a hardware port, and a resource is disclosed in column 5, lines 31-33 (disclosing a node identifier).

Regarding claim 17, the connection endpoint information for the first connection end point at the first end node of the network is vendor specific for a physical layer entity at the first end node. is missing from Constantinof. However, Ghisler discloses in column 6, lines 1-2, use of vendor specific signaling to achieve connectivity. It would have been obvious to one skilled in the art at the time of the invention to use vendor specific information to designate a physical layer entity. The motivation would be to be able to identify the physical layer entity.

Regarding claim 18, the connection endpoint information is a concatenation of one or more of a node identifier, a hardware cabinet rack, a hardware slot, a hardware port, and a resource is disclosed in column 5, lines 31-33 (disclosing a node identifier).

Regarding claim 24, the connection endpoint information for the first connection end point at the first end node of the network is vendor specific for a physical layer entity at the first end node is missing from Constantinof. However, Ghisler discloses in column 6, lines 1-2, use of vendor specific signaling to achieve connectivity. It would have been obvious to one skilled in the art at the time of the invention to use vendor specific information to designate a physical layer entity. The motivation would be to be able to identify the physical layer entity.

Regarding claim 25, the connection endpoint information is a concatenation of one or more of a node identifier, a hardware cabinet rack, a hardware slot, a hardware port, and a resource is disclosed in column 5, lines 31-33 (disclosing a node identifier).

3. Claims 9-12 and 28-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Constantinof in view of Yoshida.

Regarding claim 9, a telecommunications network having a physical layer which includes Asynchronous Transfer Mode (ATM) entities is disclosed in Constantinof, column 3, lines 38. A call layer, and a connection layer, with a separation between the call layer and the connection layer whereby the call layer and the connection layer utilize differing signaling entities in the physical layer is disclosed in column 3, lines 6-8 of Constantinof (disclosing separation between telephony and connectivity signaling).

Associating a dynamic routing number both with a first end node of the network and with a first connection end point at the first end node is missing from Constantinof. However, Yoshida discloses in column 1, line 52, dynamic ATM address mapping. It would have been obvious to one skilled in the art at the time of the invention to replace the AESA of Constantinof with a dynamic routing number. The motivation would be to be able to reuse addresses. In the call layer, transmitting the dynamic routing number to a second end node of the network; reserving a second connection end point at the second end node is disclosed in Constantinof, column 5, lines 33-37. Sending a connection request from the call layer to the connection layer, the connection request including the dynamic routing number is disclosed in Constantinof, column 5, lines 40-43. Routing connection layer signaling through the connection layer to the first end

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node; at the first end node, using the dynamic routing number included in the connection layer signaling to obtain the first connection end point is disclosed in Constantinof, column 6, lines 1-5 (disclosing connectivity being established between the nodes by the connection layer).

Regarding claim 10, the routing number is an ATM end system address (AES) is disclosed in Constantinof, column 5, line 39.

Regarding claim 11, routing the connection layer signaling through the connection layer to the first end node is disclosed in Constantinof, column 6, lines 1-5 (disclosing connectivity being established between the nodes by the connection layer). Using the dynamic routing number is missing from Constantinof. However, Yoshida discloses in column 1, line 52, dynamic ATM address mapping. It would have been obvious to one skilled in the art at the time of the invention to replace the AESA of Constantinof with a dynamic routing number. The motivation would be to be able to reuse addresses.

Regarding claim 12, through connecting a switch in the physical layer of the first end node in accordance with the connection endpoint information for the first connection endpoint is disclosed in column 6, lines 1-5 (disclosing a physical connection between the nodes).

Regarding claim 27, a telecommunications network including a first end node and a second end node which are connected by separated call and connection layers is disclosed in column 3, lines 6-8 of Constantinof (disclosing separation between telephony and connectivity signaling). A dynamic routing number is missing from

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Constantinof. However, Yoshida discloses in column 1, line 52, dynamic ATM address mapping. It would have been obvious to one skilled in the art at the time of the invention to replace the AESA of Constantinof with a dynamic routing number. The motivation would be to be able to reuse addresses. The first end node transmits a dynamic routing number to the second end node, the dynamic routing number being associated both with the first end node of the network and with a first connection end point at the first end node is disclosed in column 5, lines 29-33. Upon receipt of connection layer signaling routed through the connection layer from the second end node to the first end node using the dynamic routing number, the first node also uses the dynamic routing number to obtain the first connection end point is disclosed in column 5, lines 40-45.

Regarding claim 28, the dynamic routing number is an ATM end system address (AES) for the first end node is disclosed in column 5, line 36.

4. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Constantinof in view of Yoshida in further view of Ghisler.

Regarding claim 13, the connection endpoint information for the first connection end point at the first end node of the network is vendor specific for a physical layer entity at the first end node is missing from Constantinof. However, Ghisler discloses in column 6, lines 1-2, use of vendor specific signaling to achieve connectivity. It would have been obvious to one skilled in the art at the time of the invention to use vendor specific information to designate a physical layer entity. The motivation would be to be able to identify the physical layer entity.

Regarding claim 14, the connection endpoint information is a concatenation of one or more of a node identifier, a hardware cabinet rack, a hardware slot, a hardware port, and a resource is disclosed in column 5, lines 31-33 (disclosing a node identifier).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cynthia L Davis whose telephone number is (571) 272-3117. The examiner can normally be reached on 8:30 to 6, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CLD
2/9/2005



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